

ERIE COUNTY LEGISLATURE
MEETING NO. 6
MARCH 23, 2017

The Legislature was called to order by Chair Mills.

All members present.

An Invocation was held, led by Ms. Grant, who requested a moment of silence.

The Pledge of Allegiance was led by Ms. Dixon.

Item 1 – No tabled items.

Item 2 – No items for reconsideration from previous meeting.

Item 3 – MR. LORIGO moved for the approval of the minutes for Meeting Number 5 from 2017. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

Item 4 – No public hearings.

MISCELLANEOUS RESOLUTIONS

Item 5 – MS. DIXON presented a resolution Recognizing April as "Alcohol Awareness Month" in Erie County in Conjunction with the Erie County Council for the Prevention of Alcohol and Substance Abuse.

Item 6 – MR. MILLS, MR. LORIGO, MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MS. GRANT, MS. MILLER-WILLIAMS & MR. SAVAGE presented a resolution Recognize and Acknowledge C. Douglas Hartmayer's Contributions and Leadership to the WNY Region and to Congratulate him on his Retirement as the Director of Public Affairs for the Niagara Frontier Transportation Authority.

Item 7 – MR. MILLS, MR. LORIGO, MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. MORTON, MR. RATH, MR. BURKE, MS. GRANT, MS. MILLER-WILLIAMS & MR. SAVAGE Honoring "National Kidney Month", Pray for Those with Kidney Disease and Awaiting Kidney Transplants, Recognize and Honor the Programs that Support National Kidney Awareness, and Proclaim March 2017 as "National Kidney Awareness Month" in Erie County.

Item 8 – MR. MILLS presented a resolution Honoring Karen C. Erickson as the Evans-Brant Chamber of Commerce 2016 Citizen of the Year for her Dedication to the Community.

Item 9 – MR. MILLS presented a resolution Honoring Ernest P. Masullo as the Evans-Brant Chamber of Commerce 2016 Lifetime Achievement Award Recipient for his Dedication to the Community.

Item 10 – MR. MILLS presented a resolution Honoring Carla Marrazzo State Farm Insurance Agency as the Evans-Brant Chamber of Commerce 2016 Emerging Business.

Item 11 – MR. MILLS presented a resolution Honoring Lake Shore Memorial Fund as the Evans-Brant Chamber of Commerce 2016 Not for Profit of the Year.

Item 12 – MR. MILLS presented a resolution Honoring Manguso Land Surveying PC as the Evans-Brant Chamber of Commerce 2016 Small Business of the Year.

Item 13 – MR. MILLS presented a resolution Honoring Mickey Rats and Captain Kidds as the Evans-Brant Chamber of Commerce 2016 Large Business of the Year, and Thanking Richie Alberts for his Dedication to the Town of Evans.

Item 14 – MR. MILLS presented a resolution Honoring the Town of Boston's Bicentennial to be Commemorated on April 5, 2017.

Item 15 – MR. MILLS presented a resolution Honoring The Springville Journal on its 150th Anniversary.

Item 16 – MR. MORTON presented a resolution Congratulating Frank Cullinan for his 50 Years of Service to the Bowmansville Volunteer Fire Association.

Item 17 – MR. MORTON presented a resolution Congratulating Kara Hassenfratz on Being Named the New York State Winner of the National Bonnie Plants Cabbage Program.

Item 18 – MR. SAVAGE presented a resolution Honoring Donna M. Fernandes as the Erie County Legislature's Citizen of the Month for March 2017, and Honor and Thank her for her Dedicated Service to the Buffalo Zoo as its President and CEO.

MR. LORIGO moved for consideration of the above fourteen items. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved to amend the above fourteen items to include one miscellaneous resolution from MR. BURKE, and to include Et Al sponsorship. MR. RATH seconded.

CARRIED UNANIMOUSLY.

MR. LORIGO moved for approval of the above fifteen items as amended. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

LOCAL LAWS

Item 19 – CHAIR MILLS directed that Local Law No. 8 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 20 – CHAIR MILLS directed that Local Law No. 10 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 21 – CHAIR MILLS directed that Local Law No. 14 (Print #1) 2016 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 22 – CHAIR MILLS directed that Local Law No. 17 (Print #1) 2016 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 23 – CHAIR MILLS directed that Local Law No. 18 (Print #1) 2016 remain on the table and in the PUBLIC SAFETY COMMITTEE.

GRANTED.

Item 24 – CHAIR MILLS directed that Local Law No. 19 (Print #1) 2016 remain on the table and in the ECONOMIC DEVELOPMENT COMMITTEE.

GRANTED.

Item 25 – CHAIR MILLS directed that Local Law No. 20 (Print #1) 2016 be received and filed.

GRANTED.

Item 26 – CHAIR MILLS directed that Local Law No. 1 (Print #1) 2017 remain on the table and in the ENERGY & ENVIRONMENT COMMITTEE.

GRANTED.

Item 27 – MR. LORIGO moved to take Local Law No. 3 (Print #2) 2017 off the table. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 50

LOCAL LAW TO BE ENACTED BY

THE ERIE COUNTY LEGISLATURE
IN THE
COUNTY OF ERIE

LOCAL LAW INTRO. – NO. 3 - 2 - 2017

LOCAL LAW – NO. _____ - 2017

A LOCAL LAW amending Local Law No. 1-1959, constituting the Erie County Charter, as amended, in relation to the adjustment of job qualifications for the Erie County Commissioner of Public Works.

SECTION 1. Legislative Findings

The Erie County Legislature hereby finds that, given the evolution of the position, the position of Commissioner of Public Works is in large part a management position and the requirement that the Commissioner also be a professional engineer may create challenges finding a qualified candidate to manage the department. The Legislature further finds that there are, and will continue to be, a number of Department of Public Works staff required by civil service law to be licensed in professional engineering and that these employees will continue to perform those duties for the Department which require the holding of such license.

SECTION 2. Legislative Intent

The Legislature has considered all relevant information and input and does hereby determine that Article 11 Section 1101 of the Erie County Charter shall be amended to provide an optional reprieve from the requirement that the Commissioner of the Department of Public Works be a professional engineer licensed and registered by New York State after a showing of a good faith effort to first comply.

SECTION 3. Article 11 - Department of Public Works – Charter

Section 1101. Department of Public Works; commissioner; qualifications. There shall be a department of public works headed by a commissioner. He or she shall be appointed by the county executive, subject to confirmation by the county legislature and shall be a professional engineer licensed and registered by the state of New York. The Commissioner of Public Works, along with his or her staff of professional engineers, is responsible for providing advice on all matters related to public works. The County Executive may appoint an otherwise qualified candidate to Commissioner of Public Works who is not a professional engineer if all of the following conditions are met:

- 1) The County Executive demonstrates a good faith effort to first select a qualified professional engineer to head the department;
- 2) The County Executive submits a written request to the Legislature, which shall be approved by a two-thirds vote, for a one-time exemption to pursue candidates that do not meet the professional engineer requirement. Said request shall detail the good faith effort put forth in finding a qualified professional engineer;
- 3) Any appointment made by the County Executive under said exemption shall be subject to confirmation by the Legislature; and

4) The County maintains at least one full-time professional engineer on staff.

SECTION 4. Effective Date

This Local Law shall take effect upon filing with the Secretary of State.

SECTION 5. Severability

If any clause, sentence, paragraph, subdivision, section or part of this Local Law or the application thereof, to any person, individual, corporation, firm, partnership, entity or circumstance, shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional such order of judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or part of this Local Law or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such judgment or order shall be rendered.

Sponsor: Legislator Lorigo

Additions to the Erie County Charter are reflected by underlining.
Deletions to the Erie County Charter are reflected by ~~strikethroughs~~.

MR. LORIGO moved to approve Local Law No. 3 (Print #2) 2017. MR. RATH seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS and MR. SAVAGE. (AYES: 6; NOES: 5)

CARRIED.

Item 28 – CHAIR MILLS directed that Local Law No. 4 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 29 – CHAIR MILLS directed that Local Law No. 5 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 30 – CHAIR MILLS directed that Local Law No. 6 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

Item 31 – CHAIR MILLS directed that Local Law No. 7 (Print #1) 2017 remain on the table and in the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

COMMITTEE REPORTS

Item 32 – MS. DIXON presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 51

March 16, 2017	HEALTH & HUMAN SERVICES COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 5E-25 (2017)

COUNTY EXECUTIVE

WHEREAS, On April 29, 2015, Governor Andrew Cuomo released his Blueprint to End AIDS, which contained the statewide task force’s recommended strategies to end the AIDS epidemic in New York State by reducing the number of annual new HIV infections to 750 by the year 2020; and

WHEREAS, the third point outlined in this plan is to provide access to PrEP as part of a strategy to prevent HIV infection among individuals at high risk; and

WHEREAS, the Erie County department of Health has been awarded a grant in the amount of \$200,000 from the New York State Department of Health, AIDS Institute to implement a PrEP clinic to include providing patient assessment, counseling and clinical lab work, PrEP prescribing, community outreach, case finding, technical assistance and education; and

WHEREAS, the grant award authorizes staffing adjustments; and

WHEREAS, the New York State Department of Health has approved the creation of the position of Projects Coordinator (Health), JG-11 and the deletion of Public Health Educator, JG-8; and

WHEREAS, there are sufficient funds available in the 127PNAP1617 grant to accommodate this staff adjustment.

NOW, THEREFORE, BE IT

RESOLVED, that effective April 1, 2017, the Erie County Legislature authorized the creation of one position of Projects Coordinator –Health; JG-11, Step E is (B100 #8710), and be it further

RESOLVED, that effective April 1, 2017, the Erie County Legislature authorizes the deletion of one position of Public Health Educator; JG-8, Step E (B100# 9132); and be it further

RESOLVED, that certified copies of this resolution will be forwarded to the Office of the County Executive, the Division of Budget and Management, the Department of Personnel, the and to Dr. Gale R. Burstein, Commissioner, in the County of Erie Department of Health, 9th Floor, Rath Building.

(6-0)

LYNNE M. DIXON
CHAIR

Item 33 – MR. HARDWICK presented the following report and moved for immediate consideration and approval. MR. MORTON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 52

March 16, 2017	GOVERNMENT AFFAIRS COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT, EXCEPT LEGISLATORS DIXON & LOUGHRAN.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following item is hereby received and filed:
 - a. INTRO. 25-2 (2016)
MILLS, LORIGO & HARDWICK: “Support for "I Love NY" Signs”
(4-0)

KEVIN R. HARDWICK
CHAIR

Item 34 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 53

March 16, 2017	ECONOMIC DEVELOPMENT COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 5E-15 (2017)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the School 77 Project consists of a 30-unit affordable housing development in the City of Buffalo at 429 Plymouth Street; and

WHEREAS, S77 Housing Development Fund Company, Inc. is developing twenty-six (26) one-bedroom apartments and four (4) two-bedroom apartments. Five (5) units will be designated for frail elderly, with referrals and services provided by Catholic Charities. In addition, three (3) of the units will be fully accessible and adapted for mobility impaired and two (2) of the units will be fully accessible and adapted for hearing and/or visually impaired; all of the units will be adaptable and visitable. Catholic Charities will provide referral and supportive services for the tenants in these units; and

WHEREAS, the Erie County Legislature adopted a policy on Payment in Lieu of Taxes (PILOT) on December 16, 1999, and the PILOT is consistent with said policy; and

WHEREAS, in order to make the Project economically feasible for S77 Housing Development Fund Company, Inc. to operate the housing project it is necessary to obtain tax relief from the County of Erie, and the City of Buffalo.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to execute a Payment in Lieu of Taxes (PILOT) Agreement with S77 Housing Development Fund Company, Inc., the City of Buffalo, and any other organizations necessary to conclude this PILOT Agreement; and be it further

RESOLVED, that said Agreement shall include an annual PILOT in the amount of taxes due as set forth on Schedule A attached hereto; and be it further

RESOLVED, that certified copies of this resolution shall be forwarded to the County Executive; the Director of the Division of Budget and Management; the Director of Real Property Tax Services; the Commissioner of the Department of Environment and Planning; the County Comptroller; the County Attorney; and Paul D'Orlando, Principal Contract Monitor, ECDEP.

SCHEDULE A
The School 77 Project PILOT

Year	Total	City	County
1	6,667.00	5,000.25	1,666.75
2	6,867.01	5,150.26	1,716.75
3	7,073.02	5,304.77	1,768.26
4	7,285.21	5,463.91	1,821.30
5	7,503.77	5,627.83	1,875.94
6	7,728.88	5,796.66	1,932.22
7	7,960.75	5,970.56	1,990.19

8	8,199.57	6,149.68	2,049.89
9	8,445.56	6,334.17	2,111.39
10	8,698.92	6,524.19	2,174.73
11	8,959.89	6,719.92	2,239.97
12	9,228.69	6,921.52	2,307.17
13	9,505.55	7,129.16	2,376.39
14	9,790.71	7,343.04	2,447.68
15	10,084.44	7,563.33	2,521.11

(6-0)

2. COMM. 5E-16 (2017)

COUNTY EXECUTIVE

WHEREAS, Erie County owns the historic Buffalo and Erie County Botanical Gardens structure and is responsible for capital improvements that are needed periodically; and

WHEREAS, the County of Erie is interested in the fostering of tourism and the improvement of the historic structure; and

WHEREAS, the Erie County Department of Environment and Planning (DEP) applied for and was awarded a \$500,000 New York State Office of Parks, Recreation and Historic Preservation's (SHPO) Environmental Protection Fund (EPF) grant for the purposes of undertaking capital improvements at the Botanical Gardens; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into a contract to accept the \$500,000 in grant funding for the capital improvements at the Botanical Gardens; and

WHEREAS, the SHPO Grant requires a 50% match for which the County already has available in the Department of Public Works (DPW) Botanical Gardens Rehabilitation Project, A.16002, previously authorized in the 2016 Adopted Capital Budget; and

WHEREAS, the responsibility of performing the capital improvements at the Botanical Gardens will be placed entirely with the Department of Public Works; and

WHEREAS, the project management and claiming will be managed more efficiently by merging the funds from the DEP grant award and the 50% County match from the DPW capital project A.16002 into one location administered by DPW.

NOW, THEREFORE, BE IT

RESOLVED, that authorization is hereby provided for the County Executive to execute any and all agreements necessary to enter into a contract with the New York State Office of Parks, Recreation and Historic Preservation's (SHPO) Environmental Protection Fund (EPF) grant program to accept \$500,000 in DEP grant funding for capital improvements at the Buffalo and Erie County Botanical Gardens; and be it further

RESOLVED, that \$500,000 from the DPW Botanical Gardens Rehabilitation Project, A.16002, previously approved in the 2016 Adopted Capital Budget will be used to fulfill the required County match; and be it further

RESOLVED, that the responsibility of performing the capital improvements at the Botanical Gardens be placed entirely with DPW; and be it further

RESOLVED, the project management and claiming will be managed more efficiently by merging the funds from the DEP grant award and the 50% County match from the DPW capital project A.16002 into one location administered by DPW; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management to establish funding in grant fund 281, business area 122 and cost center 1222010, as follows:

Erie County Department of Public Works
New York State Office of Parks, Recreation and Historic Preservation's
(SHPO) Environmental Protection Fund (EPF) Grant
December 8, 2016 – December 7, 2021
122SHPOBOTGARD1621

REVENUE	Budget
GL 409040 – State Aid-Capital Grants	\$500,000
TOTAL REVENUE	\$500,000
APPROPRIATIONS	Budget
GL 575000 – Interfund Exp Non-Subsidy	\$500,000
TOTAL APPROPRIATIONS	\$500,000

and be it further

RESOLVED, that authorization is hereby provided for a \$500,000 inter-fund transfer from the new SHPO grant to the Botanical Gardens Rehabilitation Project, A.16002, which was previously approved in the 2016 Adopted Capital Budget; and be it further

RESOLVED, that the budget in capital project A.16002, fund 410, business area 122 be increased as follows:

REVENUE	Current Budget	Revision	Revised Budget
GL 450000 – Interfund Rev Non-Subsidy	\$0	\$500,000	\$500,000
GL 475000 – Bond Proceeds	\$500,000	\$0	\$500,000
TOTAL REVENUE	\$500,000	\$500,000	\$1,000,000
APPROPRIATIONS	Current Budget	Revision	Revised Budget
Capital Project Exp	\$500,000	\$500,000	\$1,000,000
TOTAL APPROPRIATIONS	\$500,000	\$500,000	\$1,000,000

and be it further

RESOLVED, that all expenditures meet the requirements of the SHPO grant guidelines and that the Director of the Division of Budget and Management is hereby authorized to implement any budget adjustments as required to comply with State and County funding requirements; and be it further

RESOLVED, that certified copies of this resolution be sent to the County Executive's Office; the Comptroller's Office; the Director of the Division of Budget and Management; the County Attorney; the Commissioner of the Department of Environment and Planning, Rath Building, 10th Floor; Mark P. Rountree, ECDEP; and the Commissioner of the Department of Public Works, Rath Building, 14th Floor.

(6-0)

3. COMM. 5E-20 (2017)

COUNTY EXECUTIVE

WHEREAS, this Honorable Body has previously authorized the County Executive to enter into Agreements for the previous phases of the Environmental Compliance Project with Wendel Companies, Architects & Engineers; and

WHEREAS, an additional Phase 6 is now required to provide, but not limited to, oil & water separator designs, environmental compliance audits, personnel training, record keeping reviews, and Phase 2 remediation of contaminated soils at the Clarence Highway Facility; and

WHEREAS, the County Executive is now requesting authorization from your Honorable Body, to issue an Agreement to Wendel Companies, Architects and Engineers, for Phase 6 of the Environmental Compliance Project; and

WHEREAS, it is also probable that additional environmental code deficiencies will be identified during the course of the work; and

WHEREAS, an additional design contingency amount should be authorized to fund change orders for this unforeseen design and compliance work in an amount not to exceed \$50,000.00.

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to enter into an Agreement with Wendel Companies, Architects and Engineers, including a design contingency and reimbursables for Phase 6 of the Environmental Compliance Project for an amount not to exceed \$234,500.00; and be it further

RESOLVED, that the Comptroller's Office be authorized to make payment for all the above from SAP Project account A.16009 – 2016 – Countywide Environmental Regulatory Compliance, for an amount not to exceed \$234,500.00; and be it further

RESOLVED, that two certified copies of this resolution shall be sent to the Commissioner of the Department of Public Works; and one copy each to the Office of the County Executive; the

County Comptroller; the County Attorney; and the Director of the Division of Budget and Management.

(6-0)

4. COMM. 5E-21 (2017)

COUNTY EXECUTIVE

WHEREAS, the Erie County Correctional Facility (ECCF)- 2015- Parking Lot and Access Road Reconstruction- Phase 1 project was awarded by your Honorable Body on December 17, 2015; and

WHEREAS, your Honorable Body authorized establishing a Construction Contingency Fund in the amount of \$40,239.00; and

WHEREAS, the Sheriff's Office has requested that the County perform additional reconstruction work with the remaining funds; and

WHEREAS, the Department of Public Works is requesting an increase to the Construction Contingency Fund to allow for more reconstruction work to be performed with the remaining funds.

NOW, THEREFORE, BE IT

RESOLVED, that the Construction Contingency Fund for the Erie County Correctional Facility (ECCF)- 2015- Parking Lot and Access Road Reconstruction- Phase 1 be increased by \$45,000.00 to a total of \$85,239.00; and be it further

RESOLVED, that deduct change orders will result in these funds being returned to the Construction Contingency Fund; and be it further

RESOLVED, that the Comptroller's office be authorized to make payments for the above from SAP Project Account A.15029 – 2015 Sheriffs (B&G) Correctional Facility Parking Lot for an amount not to exceed \$45,000.00; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, Office of the Sheriff, the Division of Budget and Management, and the Office of the Comptroller.

(6-0)

5. COMM. 5E-22 (2017)

COUNTY EXECUTIVE

WHEREAS, your Honorable Body authorized the County Executive On September 11, 2011 to enter into a contract with DV Brown & Associates for providing mechanical and electrical energy improvements to the mechanical equipment located on the fifth floor of the Rath Building; and

WHEREAS, the Construction Contingency must be increased in order to fund the installation of a new strainer and make the necessary repairs to the existing DDC Controls via change order to DV Brown & Associates' contract; and

NOW, THEREFORE, BE IT

RESOLVED, that the County Executive is hereby authorized to increase the current construction contingency fund by \$59,059.65 from \$283,000.00 to \$342,059.65; and be it further

RESOLVED, that the deduct change orders will result in these funds returned to the Contingent Fund; and be it further

RESOLVED, that the Comptroller's office be authorized to make payment for the above from SAP Project Account A.15005-2015-Countywide Mechanical, Electrical and Plumbing Improvement for an amount to exceed \$59,059.65; and be it further

RESOLVED, that two certified copies of this resolution be sent to the Department of Public Works, Commissioner's Office, and one copy each to the Office of the County Executive, the Division of Budget and Management, and the Office of the Comptroller.

(6-0)

JOSEPH C. LORIGO
CHAIR

Item 35 – MR. LORIGO presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 54

March 16, 2017	FINANCE & MANAGEMENT COMMITTEE REPORT NO. 3
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ALL MEMBERS PRESENT.

CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 3D-6 (2017)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the Erie County Director of Real Property Tax Services has received applications for corrected tax billings and / or refunds for taxes previously paid in accordance with New York State Real Property Tax Law sections 554 and 556; and

WHEREAS, the Director has investigated the validity of such applications (see attached listing).

NOW, THEREFORE, BE IT

RESOLVED, that petitions numbered 217065 through 217072, inclusive be hereby approved or denied based upon the recommendation of the Director of Real Property Tax Services and be charged back to the applicable towns and/or cities.

FISCAL YEAR 2017

Petition No.

217,065.00

ASSESSOR Refund \$355.25
S-B-L 54.47-1-26 303 Wynnwood Av 146489 TONAWANDA
Acct. No. 112 \$147.53 County
Acct. No. 132 \$207.72 Town/SpecialDist/School
Charge To : 146489 TONAWANDA \$207.72

RPTL550(2) Failed to apply vet exemption
Refund to be issued to Joseph Sciandra

FISCAL YEAR 2017 Petition No. 217,066.00

OWNER Refund \$30,113.60
S-B-L 70.03-1-27.11 4545 Transit rd 143200 CLARENCE
Acct. No. 112 \$0.00 County
Acct. No. 132 \$30,113.60 Town/SpecialDist/School
32106 ECSD #5 USER CHARGE \$30,113.60
Charge To : 143200 CLARENCE \$0.00

RPTL550(2) Incorrect sewer charge
Refund to be issued to MDC Eastern Hills LLC

FISCAL YEAR 2017 Petition No. 217,067.00

OWNER Cancel \$3,230.89
S-B-L 142.78-1-14 83 Spring St 140900 LACKAWANNA
Acct. No. 112 \$0.00 County
Acct. No. 132 \$3,230.89 Town/SpecialDist/School
9993 ECSD#6 STORM \$3,230.89
Charge To : 140900 LACKAWANNA \$0.00

RPTL550(2) Incorrect sewer charge
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 217,068.00

ASSESSOR Refund \$341.39
S-B-L 167.00-1-26.24 4157 Aest Blood R 146600 WALES

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$341.39	Town/SpecialDist/School
<u>Charge To :</u>	146600 WALES		\$341.39
	Relevy School	\$341.39	144201 IROQUOIS

CENTRAL

RPTL550(2) Failed to apply vet exemption
Refund to be issued to Marco Schott

FISCAL YEAR 2017 Petition No. 217,069.00

 ASSESSOR Refund \$242.83
S-B-L 167.00-1-26.24 4157 East Blood Rd 146600 WALES

	Acct. No. 112	\$220.48	County
	Acct. No. 132	\$22.35	Town/SpecialDist/School
<u>Charge To :</u>	146600 WALES		\$22.35

RPTL550(2) Failed to apply vet exemption
Refund to be issued to Marco Schott

FISCAL YEAR 2017 Petition No. 217,070.00

 ASSESSOR Cancel \$86.87
S-B-L 202.00-2-56 6081 Vermont Hill 146600 WALES

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$86.87	Town/SpecialDist/School
<u>Charge To :</u>	146600 WALES		\$86.87

RPTL550(2) Incorrect special district charge
New tax bill to be issued

FISCAL YEAR 2016 Petition No. 217,071.00

 ASSESSOR Refund \$517.93
S-B-L 125.06-10-31 135 Denise Dr 143089 CHEEKTOWAGA

	Acct. No. 112	\$0.00	County
	Acct. No. 132	\$517.93	Town/SpecialDist/School
<u>Charge To :</u>	143089 CHEEKTOWAGA		\$517.93
	Relevy School	\$517.93	

RPTL550(2) Failed to apply basic STAR exemption
Refund to be issued to Norman Haberl

FISCAL YEAR 2016 Petition No. 217,072.00

 ASSESSOR Refund \$589.04
S-B-L 114.07-5-22 1160 Como Park B1143089 CHEEKTOWAGA

 Acct. No. 112 \$0.00 County
 Acct. No. 132 \$589.04 Town/SpecialDist/School
Charge To : 143089 CHEEKTOWAGA \$589.04
 Relevy School \$589.04

RPTL550(2) Failed to apply enhanced STAR exemption
Refund to be issued to Richard Mazur

and be it further

RESOLVED, that certified copies of this resolution be forwarded to the Director of Real Property Tax Services.
(6-0)

JOSEPH C. LORIGO
CHAIR

Item 36 – MR. MORTON presented the following report and moved for immediate consideration and approval. MR. HARDWICK seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 55

March 16, 2017	ENERGY & ENVIRONMENT COMMITTEE REPORT NO. 4
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ALL MEMBERS PRESENT.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. RESOLVED, the following items are hereby received and filed:
 - a. COMM. 5E-11 (2017)
COUNTY EXECUTIVE: “EC Sewer District No. 3 - Engineer Term Contract Agreement - Work Order AECOM-1”
(6-0)
 - b. COMM. 5E-12 (2017)

COUNTY EXECUTIVE: “EC Sewer District No. 3 - Engineer Term Contract Agreement - Work Order GHD-2”
(6-0)

c. COMM. 5E-13 (2017)

COUNTY EXECUTIVE: “EC Sewer District No. 6 - Engineer Term Contract Agreement - Work Order EA-1”
(6-0)

2. RESOLVED, the following items are hereby amended and received and filed:

a. COMM. 5E-7 (2017)

COUNTY EXECUTIVE: “EC Sewer District Nos. 1, 4 & 5 - Engineer Term Contract Agreement - Work Order GPI-1”
(6-0)

b. COMM. 5E-8 (2017)

COUNTY EXECUTIVE: “EC Sewer District Nos. 1, 4 & 5 - Engineer Term Contract Agreement - Work Order WSA-1”
(6-0)

c. COMM. 5E-9 (2017)

COUNTY EXECUTIVE: “EC Sewer District Nos. 2, 3 & 8 - Engineer Term Contract Agreement - Work Order N&C-1”
(6-0)

d. COMM. 5E-10 (2017)

COUNTY EXECUTIVE: “EC Sewer District Nos. 2, 3 & 8 - Engineer Term Contract Agreement - Work Order DI-1”
(6-0)

3. COMM. 1E-11 (2017)

COUNTY EXECUTIVE AS AMENDED

WHEREAS, the County Executive has made the below appointments to the Erie County Sewer District Board of Managers pursuant to the power vested to him by Section 2204 of the County Charter.

NOW, THEREFORE, BE IT

RESOLVED, that the following appointments to the Erie County Sewer District Board of Managers are hereby confirmed:

Erie County Sewer District No. 4
Mr. William Cansdale (Appointment)
Village of Lancaster Department of Public Works
5200 Broadway
Lancaster, NY 14086

Term Expires
12/31/17

Erie County Sewer District No. 5
Mr. Jeffrey Burroughs, P.E. (Appointment)
Town of Amherst Engineer
1100 North Forest Road
Williamsville, NY 14221

Term Expires
12/31/17

RESOLVED, that the Clerk of the Legislature be directed to send a certified copy of this resolution to the County Executive, the appointees, and Joseph Fiegl, P.E. - Deputy Commissioner of the Department of Environment and Planning.
(6-0)

4. COMM. 5E-23 (2017)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature approved Erie County to enter into the necessary agreements with the Western New York Land Conservancy to accept the donation of one parcel, approximately 8.2 acres of land, SBL-206.00-1-8.11, located at 6892 Lakeshore Road, Derby, in the Town of Evans, State of New York, and more fully described on Attachment A, to become County parkland; and

WHEREAS, funds to effectuate the property transfer were approved not to exceed \$3,000 in Resolution Comm. 13E-18 (2016) on July 28, 2016; and

WHEREAS, after the passage of the aforementioned resolution, the County learned that additional funds would be needed at the time of closing in order to reimburse the Conservancy for costs associated with school, town and county taxes in the amount of \$8,164.59; and

WHEREAS, the Department of Environment and Planning has completed a review pursuant to New York State Environmental Quality Review Act (SEQR) and a Negative Declaration was issued on February 22, 2016, thus determining that the proposed action will not have an adverse environmental impact.

NOW, THEREFORE, BE IT

RESOLVED, that additional funds be approved in the amount of \$7,000 to cover the closing costs for school, town and county taxes incurred by the donor, for a total expenditure not to exceed \$10,000 in order to effectuate the transfer of the "Lakeview Pocket Preserve" from the Western New York Land Conservancy to Erie County; and be it further

RESOLVED, that said funds shall be appropriated from the Department of Environment and Planning's 2016 Budget in fund 110, funds center 16200 and GL account 516020 – professional services; and be it further

RESOLVED, that the County be permitted to make payment for any and all closing costs and fees associated with the donation of the "Lakeview Pocket Preserve" parcel; and be it further

RESOLVED, that the Clerk of the Legislature send certified copies of this resolution to Daniel Rizzo, Department of Parks, Recreation, and Forestry; Bonnie L. Lawrence, Division of Environmental Compliance in the Department of Environment and Planning; Thomas R. Hersey, Jr.,

Commissioner of the Department of Environment and Planning; the County Executive; the Erie County Comptroller; the Erie County Director of Budget and Management; and Kristen M. Walder, Assistant County Attorney.

ATTACHMENT A

PROPERTY DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Evans, County of Erie, State of New York, being part of Lot No. 53, Township 9, Range 8 of the Holland Land Company Survey being bounded on the north by the shores of Lake Erie, bounded on the east by lands conveyed to St. Columban's Foreign Mission Society, described in deed recorded in the Erie County Clerk's Office in Liber 4645 of Deeds at page 335; bounded on the south by the Old Lake Shore Road; and bounded on the west by lands conveyed to Edgar F. Wendt by deed recorded in the Erie County Clerk's Office in Liber 3032 of Deeds at page 594.
(6-0)

TED B. MORTON
CHAIR

Item 37 – MR. RATH presented the following report and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 56

March 16, 2017	PUBLIC SAFETY COMMITTEE REPORT NO. 5
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ALL MEMBERS PRESENT, EXCEPT LEGISLATOR SAVAGE.
CHAIR MILLS PRESENT AS EX-OFFICIO MEMBER.

1. COMM. 5E-6 (2017)

COUNTY EXECUTIVE

WHEREAS, New York State Division of Homeland Security and Emergency Services (NYS DHSES) has awarded \$100,000.00 to the Erie County Sheriff's Office in funding specifically allocated to agencies with SWAT Teams; and

WHEREAS, at the time of the grant application the Erie County Sheriff's Office must submit a specific list of training modules and the NYSDHSES approved consultants; and

WHEREAS, the NYSDHSES must approve the training vendors prior to the awarding of the grant; and

WHEREAS, the NYSDHSES approved training and vendors for this grant are as followed:
D-CO.US Tactical Command + Leadership Training

; and

WHEREAS, authorization is required from the Erie County Legislature for the County Executive to enter into contract and accept \$100,000.00 in federal resources to provide funds for equipment to protect the residents of Erie County and the State of New York from active shooter and other events requiring special weapons and tactics as well as develop tactical capabilities that support counter terrorism missions; and

WHEREAS, there will be no impact on County tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the County Executive to enter into contract with the New York State Division of Homeland Security and Emergency Services to receive \$100,000.00 in grant funding for the Erie County Sheriff's Office; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management to establish funding in the Grant Fund 281, as follows:

Erie County Sheriff's Office
FY2016 Tactical Team Grant

<u>ACCOUNT #</u>	<u>INCREASE</u>
414000 - Federal Revenue	\$ 100,000.00
<u>ACCOUNT #</u>	<u>INCREASE</u>
561410 - Lab & Technical Equipment	\$ 70,000.00
510200 - Training & Education	\$ 30,000.00

; and be it further

RESOLVED, that the Erie County Sheriff's Office is authorized to enter into agreements with the aforementioned NYSDHSES approved vendor, D-CO.US, 26 Pinecrest Plaza, Southern Pines, North Carolina, for the described training not to exceed the \$30,000.00 provided by the grant, and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust grant appropriations and revenues in accordance with the final grantor funding levels or grantor authorized changes to award amounts, provided there are no changes to authorized personnel levels and county share amounts; and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate this transfer should there be any unforeseen issues; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Erie County Executive, Division of Budget and Management, Purchasing Department, the County Attorney's office, Erie County Comptroller's Office, and the Chief of Administration of the Sheriff's office for implementation.

(5-0)

2. COMM. 5E-19 (2017)

COUNTY EXECUTIVE

WHEREAS, the Erie County Legislature approved the Erie County Sheriff's Contract with the U.S. Department of Justice for a Human Trafficking grant; and

WHEREAS, after seeking approval from the County Legislature, the Division of Budget and Management found the original resolution lacked the proper clause authorizing the department to transfer the necessary amount of funds for police investigation equipment; and

WHEREAS, there is a need for the technical correction which will allow the Division of Budget and Management to transfer \$13,300.00; and

WHEREAS, no additional County funds are required as appropriations are available in the 115HUMANTRAFFIC1617 grant and there will be no impact on County tax dollars.

NOW, THEREFORE, BE IT

RESOLVED, that the Erie County Legislature does hereby authorize the Director of Budget and Management to adjust the grant appropriations and revenues in accordance with the final grantor funding levels or grantor authorized changes to award amounts provided there are no changes to the authorized personnel levels and county share; and be it further

RESOLVED, that authorization is hereby provided to the Division of Budget and Management to establish funding in the Grant Fund 281, as follows:

Erie County Sheriff's Office
115HUMANTRAFFIC1617

ACCOUNT #

501000 - Overtime

DECREASE

\$ 13,300.00

ACCOUNT #

561410 - Lab & Technical Equipment

INCREASE

\$ 13,300.00

; and be it further

RESOLVED, the Division of Budget and Management is authorized to make any technical adjustments necessary to effectuate this transfer should there be any unforeseen issues; and be it further

RESOLVED, the Erie County Comptroller's Office is hereby authorized to release the designated funds and make payments as necessary; and be it further

RESOLVED, certified copies of this resolution shall be forwarded to the Division of Budget and Management, Purchasing Department, the County Attorney, the Erie County Comptroller's Office, and the Chief of Administration of the Sheriff's office for implementation.
(5-0)

EDWARD A. RATH III
CHAIR

LEGISLATOR RESOLUTIONS

Item 38 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MS. DIXON seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 57

RE: Appointments to the Erie County
Agricultural and Farmland Protection
Board
(INTRO. 6-1)

A RESOLUTION TO BE
SUBMITTED BY CHAIR MILLS

WHEREAS, the Erie County Legislature established the Erie County Agricultural and Farmland Protection Board (AFPB) on March 18, 1993 in accordance with New York State Agriculture and markets Law, Article 25-AA, Section 302(a); and

WHEREAS, New York State Agriculture and Markets Law, Article 25-AA, Section 302(b) states that the term of each member of the AFPB shall be four (4) years; and

WHEREAS, in accordance with New York State Agriculture and Markets Law, Article 25-AA, Section 302, members of the AFPB may be appointed by the Chairman of the County legislative body; and

WHEREAS, among the membership of the AFPB there shall be a member representing an organization dedicated to agricultural land preservation; and

WHEREAS, among the membership of the AFPB there shall be four (4) active farmers appointed to membership of this Board; and

WHEREAS, Nancy Smith of the Western New York Land Conservancy does not wish to be reappointed for another four (4) year term; and

WHEREAS, there is currently a vacant active farmer position on this Board; and

WHEREAS, the AFPB recommends that the Chair of the Legislature appoint Rachel Chrostowski and Leonard Janiga to the AFPB; and

WHEREAS, action is necessary to ensure Erie County Legislature representation on this important advisory body.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby appoints, in her capacity as representative of an organization dedicated to agricultural land preservation, Rachel Chrostowski of the Western New York Land Conservancy located at the Kenneglenn Nature Preserve in East Aurora with a mailing address of PO Box 471, East Aurora, New York 14052, to the Agricultural and Farmland Protection Board; and be it further

RESOLVED, that this honorable body hereby appoints, in his capacity as a farmer, Leonard Janiga of Maelen Farms located at 11121 Jamison Road, East Aurora, New York 14052, to the Erie County Agricultural and Farmland Protection Board; and be it further

RESOLVED, that certified copies of this resolution be sent to Rachel Chrostowski and Leonard Janiga, at the above listed addresses, the County Executive, the Commissioner of NYS Department of Agriculture, the Commissioner of the Department of Environment and Planning, and the Chair of the Erie County Agricultural and Farmland Protection Board.

Item 39 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

RESOLUTION NO. 58

RE: Support for Medicaid Relief for Local Governments
(INTRO. 6-2)

A RESOLUTION TO BE SUBMITTED BY
LEGISLATORS MILLS, LORIGO, RATH & MORTON

WHEREAS, municipalities across New York State struggle to find a balance between funding mandated programs and supporting local infrastructure investment or lowering the tax burden on residents; and

WHEREAS, for fiscal year 2015, nine state mandates consumed 99% of the property tax levy in counties outside of New York City. This severely limited funding for other vital programs tailored to fit the needs of local municipalities and school districts; and

WHEREAS, one of the most burdensome expenses forced on counties is the cost of Medicaid services. Medicaid costs are the largest mandated expense for local governments and \$7 billion of the total \$27 billion spent in New York State on Medicaid comes from counties; and

WHEREAS, on a nationwide basis, local governments fund \$9.7 billion worth of Medicaid expenses each year. Here in Erie County, more than \$203 million was sent to the State to cover Medicaid costs in 2016; and

WHEREAS, New York State has been politically unwilling or unable to provide any meaningful mandate relief for the residents of Erie County; and

WHEREAS, Congressman Chris Collins has introduced legislation that would amend the replacement for the Affordable Care Act to provide for relief at the local level by preventing states from imposing Medicaid costs on local municipalities outside of New York City; and

WHEREAS, forcing New York State to take over Medicaid costs would save the 57 counties outside of New York City a combined total of \$2.2 billion in property taxes, almost as much as the combined total of all other counties in the nation; and

WHEREAS, such a measure would allow counties in New York State the opportunity to lower property taxes for their residents decreasing the costs to live in our state and hopefully spur new private investment here in Erie County; and

WHEREAS, New York State has failed to make any meaningful reform of Medicaid costs. As a result, the State is second in the nation for overall Medicaid spending at \$60 billion and second in the nation for each recipient with an average of \$10,426 per-person, per-year. This spending has been forced onto the counties in New York, limiting the impact of Medicaid spending in the State's budget thereby allowing the State to further increase costs. This self-repeating cycle of increasing mandated services and then passing their costs onto counties with no recurring funding source must stop.

NOW, THEREFORE, BE IT

RESOLVED, that this honorable body hereby supports Rep. Collins' proposal to require New York State to cover the full costs of Medicaid as opposed to forcing them on local municipalities; and, be it further

RESOLVED, that this honorable body urges Governor Cuomo to work with Erie County on other cost saving measures and mandate relief; and, be it further

RESOLVED, that certified copies of this resolution be sent to the Western New York delegations to the United States Congress and the New York State Legislature, Governor Andrew Cuomo, and any party deemed necessary and proper.

MR. BURKE moved to send the item to committee for further consideration. MS. GRANT seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS and MR. SAVAGE. NOES: MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. (AYES: 5; NOES: 6)

FAILED.

CHAIR MILLS moved the previous question, and directed that a roll call vote be taken.

AYES: MR. LOUGHRAN, MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: MR. BURKE, MS. GRANT, MS. MILLER-WILLIAMS and MR. SAVAGE. (AYES: 7; NOES: 4)

CARRIED.

Item 40 – CHAIR MILLS directed that the following item be referred to the COMMUNITY ENRICHMENT COMMITTEE.

GRANTED.

INTRO. 6-3 from LEGISLATOR MILLER-WILLIAMS. Support for Increased Funding for Bilingual Education in New York State.

Item 41 – CHAIR MILLS directed that the following item be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 6-4 from LEGISLATORS GRANT & BURKE. Denouncing the Proposed Federal "Preserving Employee Wellness Programs Act".

Item 42 – CHAIR MILLS directed that the following item be referred to the GOVERNMENT AFFAIRS COMMITTEE.

GRANTED.

INTRO. 6-5 from LEGISLATORS GRANT. Voicing Concern About Installation of Vehicle Tracking "Starter Interrupt" Devices.

Item 43 – CHAIR MILLS directed that the following item be received and filed.

GRANTED.

INTRO. 6-6 from LEGISLATORS MILLS & HARDWICK. Support for County Employees in the Comptroller's Office.

CHAIR MILLS directed that the agenda be taken out of order and the next items to be considered would be Suspension of the Rules.

GRANTED.

SUSPENSION OF THE RULES

Item 44 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 6-7 from LEGISLATORS GRANT, MILLS, LORIGO, LOUGHRAN, MILLER-WILLIAMS, SAVAGE, HARDWICK, RATH, BURKE, MORTON & DIXON, MORTON & DIXON. Re: Standing in Unity with the WNY Congressional Delegation to Ensure the Viability of the Low Income Home Energy Assistance Program

RESOLUTION NO. 59

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS
GRANT, MILLS, LORIGO, LOUGHRAN, MILLER-WILLIAMS,
SAVAGE, HARDWICK, RATH, BURKE, MORTON & DIXON

WHEREAS, Western New York is well known, by people both near and far, for its fierce winters, bouts of near-paralyzing snow, and cold spells during colder months, with the resulting need for home thermostats raising in order to keep families warm and safe; and

WHEREAS, Western New Yorkers are also well versed in the cost of home heating, especially struggling families trying to make ends meet, and one measure of support for families is the Low Income Home Energy Assistance Program (HEAP), as HEAP is an essential part of a cold weather safety net primarily utilized by residents of the Northeastern parts of the United States; and

WHEREAS, there are also far too many residents affected by the fact that Buffalo has the unfortunate distinction of being listed among the poorest communities in the United States, and there are residents of suburban communities in Erie County that struggle financially, as well; and

WHEREAS, in Erie County, about one out of every four residents count on federal assistance through HEAP to help them pay their heating bills; and

WHEREAS, HEAP is a broad public program and one relied upon by 92,000 Erie County families, with a family of four earning up to \$53,000-a-year eligible for heating assistance, which essentially means a lot of people qualify for this much-needed program; and

WHEREAS, the federal assistance currently provided through HEAP allows families to save more for their other pressing needs while being able to stay warm, and keeps families afloat while attending to other bills and obligations they face on a monthly basis; and

WHEREAS, the federal funding derived to fund HEAP helps County taxpayers bear less of a burden should federal funding ultimately be drawn back, and also allows revenue from sales and property taxes, and State assistance to be allocated for other important programs and services; and

WHEREAS, it is sensible and responsible to keep intact this federal funding to keep families safe and warm, thus making concern over the proposed cuts a bipartisan issue amongst our federal representatives and for everyone to stand behind, and it is refreshing to see unity from our representatives on this important public policy matter.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body stand in unity with Senator Kirsten Gillibrand, Senator Chuck Schumer, Congressman Chris Collins, Congressman Brian Higgins, and all public officials concerned about the proposed cuts to HEAP and the resulting effect they would have on Western New York families; and be it further

RESOLVED, that certified copies of this resolution shall be sent to the Western New York Delegation of the U.S. Congress, and any other party deemed necessary and proper.

MR. LORIGO moved to approve the item. MR. BURKE seconded.

CARRIED UNANIMOUSLY.

Item 45 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 6-8 from LEGISLATORS MILLS, LORIGO, RATH, HARDWICK, MORTON, DIXON, LOUGHRAN, GRANT, MILLER-WILLIAMS, SAVAGE & BURKE. Re: Standing in Unity with the WNY Congressional Delegation to Ensure the Viability of the Meals on Wheels Program

RESOLUTION NO. 60

A RESOLUTION TO BE SUBMITTED BY LEGISLATORS
MILLS, LORIGO, RATH, HARDWICK, MORTON, DIXON,
LOUGHRAN, GRANT, MILLER-WILLIAMS, SAVAGE & BURKE

WHEREAS, Western New York is well known, by people both near and far, for its fierce winters, bouts of near-paralyzing snow, and cold spells during colder months, which often keep senior citizens in their homes for months at a time; and

WHEREAS, there are also far too many residents affected by the fact that Buffalo has the unfortunate distinction of being listed among the poorest communities in the United States. This is truly a universal issue with residents of both suburban and urban communities that struggle with mobility but do not have the means nor desire to enter assisted living; and

WHEREAS, programs like Meals on Wheels offer nutritious meals to seniors and people who cannot shop for or prepare their own meals, this program is a lifeline for thousands of senior citizens and people with disabilities across Erie County; and

WHEREAS, in Erie County, the Department of Senior Services sends meals to over 3,600 senior clients at an average cost to these clients of \$2.12 per meal, without federal funding the continuation of programs like this could be in jeopardy leaving many seniors without access to proper nutrition; and

WHEREAS, Meals on Wheels, in association with Erie County, delivers more than 900,000 meals each year in Western New York alone. This is a vital source of nutrition for thousands of Western New York residents and needs to be protected.

NOW, THEREFORE, BE IT

RESOLVED, that this Honorable Body stand in unity with Senator Kirsten Gillibrand, Senator Chuck Schumer, Congressman Chris Collins, Congressman Brian Higgins, and all public officials concerned about the proposed cuts to programs like Meal on Wheels; and be it further

RESOLVED, that certified copies of this resolution shall be sent to Western New York's delegation to the U.S. Congress, and any other party deemed necessary and proper.

MR. LORIGO moved to approve the item. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

Item 46 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

INTRO. 6-9 from LEGISLATOR MILLER-WILLIAMS. Re: Improving Service to Patients at Erie County Medical Center

MR. LORIGO moved to approve the item. MR RATH seconded.

MR. LOUGHRAN objected.

CHAIR MILLS directed that the resolution be referred to the FINANCE & MANAGEMENT COMMITTEE.

GRANTED.

Item 47 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 6M-6 from the GREAT LAKES HEALTH SYSTEM. Re: Letter Regarding ECMCC Finances

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

Item 48 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 6E-20 from LEGISLATOR BURKE. Re: Letter to Chair Mills Regarding Request for Public Hearing Concerning LL Intro. 5-1 (2017)

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

Item 49 – MR. LORIGO moved for a Suspension of the Rules to include an item not on the agenda.

GRANTED.

COMM. 6E-21 from LEGISLATOR BURKE. Re: Letter to Government Affairs Committee Chair Regarding Speakers at Committee Meeting

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

CHAIR MILLS directed that the agenda return to Communications Discharged from Committee.

GRANTED.

COMMUNICATIONS DISCHARGED FROM COMMITTEE

Item 50 – MR. LORIGO moved to discharge the GOVERNMENT AFFAIRS COMMITTEE of further consideration of COMM. 5E-17. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 61

RE: Appointment to the EC Board of Ethics
(COMM. 5E-17, 2017)

RESOLVED, the Erie County Legislature hereby confirms the appointment, on the recommendation of the County Executive, of Warren Galloway of 111 Humboldt Pkwy, Buffalo, NY 14214 to the Erie County Board of Ethics, for a term expiring on December 31, 2021.

MR. LORIGO moved to amend the item. MR. SAVAGE seconded.

CARRIED UNANIMOUSLY.

Delete the Item and Insert the Following:

RESOLVED, the Erie County Legislature hereby confirms the appointment, on the recommendation of the County Executive, of Warren Galloway of 111 Humboldt Pkwy, Buffalo, NY 14214 to the Erie County Board of Ethics, for a term expiring on December 31, 2018.

MR. LORIGO moved to approve the item as amended. MR. SAVAGE seconded.

CARRIED UNANIMOUSLY.

Item 51– MR. LORIGO moved to discharge the ECONOMIC DEVELOPMENT COMMITTEE of further consideration of COMM. 5E-14. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 62

RE: Barco Lot Transfer - Conveyance of
Land from Buffalo Bills, LLC
(COMM. 5E-14, 2017)

WHEREAS, the Buffalo Bills, LLC (the “Bills”) recently purchased one parcel of land, approximately 2.98 acres, bearing SBL-161.17-6-4.2, adjacent to One Bills Drive, located in the Town of Orchard Park, County of Erie, State of New York, and more fully described on Attachment A, for the purpose of constructing a new 100 yard outdoor practice field (“the Project”); and

WHEREAS, the Bills are seeking to convey said parcel to the County of Erie (“County”), at no cost to the County, and

WHEREAS, in order for the Bills to move ahead with the Project, amendments will need to be made to the 2013 Master Lease between the County and the Erie County Stadium Corporation (“ECSC”) and the 2013 Stadium Lease between the County, ECSC and the Bills, among other documents, to reflect the incorporation of the additional parcel; and permit construction of the 100 yard practice field and realignment of Regional Drive; and

WHEREAS, the Department of Environment and Planning has completed a review pursuant to the New York State Environmental Quality Review Act (SEQR) and a Negative Declaration was issued on January 26, 2017; thus determining that the proposed action will not have an adverse environmental impact; and

WHEREAS, at its meeting on February 23, 2017, the Erie County Advisory Review Committee (ARC) approved the conveyance of said real property by the Bills to the County and the acceptance by the County of said real property.

NOW, THEREFORE, BE IT

RESOLVED, that the County of Erie is authorized to accept the donation of one parcel of land, approximately 2.98 acres, bearing SBL-161.17-6-4.2, adjacent to One Bills Drive, located in the Town of Orchard Park, County of Erie, State of New York, from the Bills; and be it further

RESOLVED, that the County Executive is hereby authorized to execute any and all documents relating to the conveyance of said real property; and be it further

RESOLVED, that the County Executive is hereby authorized to execute amendments to the 2013 Master Lease between the County and the ECSC and the 2013 Stadium Lease between the County, the ECSC and the Bills, among other documents; and be it further

RESOLVED, that the Clerk of the Legislature send certified copies of this resolution to Charles Sickler, Department of Public Works; the County Executive, the Erie County Comptroller; the Erie County Director of Budget and Management, and the Erie County Department of Law.

ATTACHMENT A

PROPERTY DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Orchard Park, County of Erie, and State of New York, being part of Lot 39, Township 9, Range 7 of the Holland Land Company's Survey, bounded and described as follows:

BEGINNING at a point located on the north line of lands conveyed to Mary Debotte by deed recorded in the Erie County Clerk's Office in Liber 1648 of Deeds at Page 24, at the northwest corner of lands conveyed to Bernard Cerajewski and Frances his wife by deed recorded in the Erie County Clerk's Office in Liber 4895 of Deeds at Page 289, such point being one thousand one hundred seventy and fifty-six hundredths (1170.56) feet northerly, as measured along a line parallel with the east line of lot 39 and along the west line of Cerajewski by deed aforesaid, from a point in the center line of Big Tree Road which point on said center line is distant six hundred eighty-six and ninety-five hundredths (686.95) feet westerly of the intersection of the center line of Big Tree Road with the east line of Lot 39, as measured along said center line, such point on Big Tree Road, being also the southwest corner of lands conveyed to Cerajewski by deed aforesaid; running thence westerly along the north line of lands conveyed to Debotte by deed aforesaid, about four hundred twenty (420) feet to the northwest corner of lands conveyed to Debotte by deed aforesaid; running thence southerly along the west line of lands so conveyed to Debotte by deed aforesaid, three hundred (300) feet to a point; running thence easterly parallel with the north line of Debotte by deed aforesaid, about four hundred twenty (420) feet to the westerly line of lands conveyed to Cerajewski by deed aforesaid; running thence northerly along the west line of lands conveyed to Cerajewski by deed aforesaid, three hundred (300) feet to the point or place of beginning.

MR. LORIGO moved to approve the item. MR. RATH seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK, CHAIR MILLS, MR. MORTON and MR. RATH.
NOES: MR. LORIGO. (AYES: 10; NOES: 1)

CARRIED.

Item 52 – MR. LOUGHRAN moved to discharge the FINANCE & MANAGEMENT COMMITTEE of further consideration of COMM. 5E-18. MR. SAVAGE seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON and MR. HARDWICK. NOES: MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. (AYES: 7; NOES: 4)

CARRIED.

RESOLUTION NO. 63

RE: Declaration of Need
(COMM. 5E-18, 2017)

WHEREAS, the County of Erie is authorized pursuant to Title 6 of Article 10-C of the Public Authorities Law, constituting Chapter 43-A of the Consolidated Laws of the State of New York (the ECMCC Act”) to lend its money or credit to or in aid of the Erie County Medical Center Corporation (“ECMCC”) for the purpose of providing health related facilities or hospital facilities, and for facilities incidental or appurtenant thereto; and

WHEREAS, ECMCC’s Governing Board has adopted on October 13, 2016 its resolution requesting that the County provide financial assistance to ECMCC in order to enable ECMCC to finance a portion of the costs of various capital improvements to ECMCC healthcare facilities at the estimated maximum cost of \$120 million as described in the form of Declaration of Need set forth in section 2 of this resolution (the “Declaration of Need”), together with related costs of issuance; and

WHEREAS, the County has agreed pursuant to applicable state law and the Sale, Purchase and Operation Agreement dated January 1, 2004 between the County and ECMCC, as amended (the “SPO Agreement”) to lend its money to ECMCC to fund capital projects of ECMCC upon satisfaction of certain conditions as set forth in the SPO Agreement; and

WHEREAS, the Erie County Fiscal Stability Authority (“ECFSA”) is authorized pursuant to applicable provisions of state law and the Financing Agreement dated as of May 1, 2009, as amended, between the ECFSA and the County, to provide financing assistance to the County to finance such County loan to ECMCC, upon approval and submittal by the County to ECFSA of the Declaration of Need; and

WHEREAS, ECMCC proposes to issue to the County its Senior Revenue Bonds, Series 2017 (the “2017 ECMCC Bonds”) in the aggregate principal amount of up to \$100,000,000, pursuant to the Master Trust Indenture between ECMCC and HSBC Bank USA, National Association, as Master Trustee (the “Master Trustee”), dated as of August 1, 2004 as amended (the “Master Trust Indenture”) and a supplemental indenture between ECMCC and the Master Trustee (the “Third Supplemental Indenture”) in order to secure repayment of such loan by ECMCC to the County; and

WHEREAS, the financing of such County loan to ECMCC through the issuance of ECFSA bonds, with repayment of such loan secured by the 2017 ECMCC Bonds, is expected to provide significant annual debt service savings to ECMCC over the term of such bonds, and in consideration of such savings ECMCC has proposed to pay certain amounts to the County (“Points”) equal to the present value of such debt service savings; the exact amount of such Points to be determined when the ECFSA’s bonds are priced and sold to capital market investors and such present value has been finalized; and

WHEREAS, ECMCC issued its Erie County-Guaranteed Senior Revenue Bonds, Series 2004 (Federally Taxable) (the “2004 ECMCC Bonds”) pursuant to the Master Trust Indenture and the First Supplemental Indenture between ECMCC and the Master Trustee dated as of August 1, 2004; and

WHEREAS, the County and ECMCC are parties to that certain Guaranty Agreement No. 2 dated as of August 1, 2004 (the "Guaranty"), pursuant to which the County guaranteed the punctual payment of the 2004 ECMCC Bonds; and

WHEREAS, ECMCC issued its Senior Revenue Bonds, Series 2011 registered in the name of the County as owner (the "2011 ECMCC Bonds") pursuant to the Master Trust Indenture and the Second Supplemental Indenture between ECMCC and the Master Trustee dated as of August 1, 2011; and

WHEREAS, pursuant to the Master Trust Indenture, the County by having issued the Guaranty is deemed the owner of the 2004 ECMCC Bonds for purposes of the Master Trust Indenture, including provisions thereof providing for, among other things, County consent to execution, delivery and performance of the Third Supplemental Indenture and the 2017 ECMCC Bonds; and

WHEREAS, the County is the owner of the 2011 ECMCC Bonds for purposes of the Master Trust Indenture, including provisions thereof providing for, among other things, County consent to execution, delivery and performance of the Third Supplemental Indenture and the 2017 ECMCC Bonds; and

WHEREAS, ECMCC may not execute and deliver the Third Supplemental Indenture and the 2017 ECMCC Bonds without such consents of the County pursuant to the Guaranty and the Master Trust Indenture;

NOW, THEREFORE, BE IT

RESOLVED BY THE COUNTY LEGISLATURE OF THE COUNTY OF ERIE, NEW YORK, AS FOLLOWS:

Section 1. Pursuant to the provisions of the ECMCC Act and in accordance with the terms and conditions of the SPO Agreement, the County of Erie, New York (herein called "County"), is hereby authorized to make a loan to ECMCC in an aggregate amount not to exceed \$100,000,000 to fund a portion of the costs of various capital improvements to ECMCC healthcare facilities at the respective estimated costs as described in the form of Declaration of Need set forth in Section 2 hereof. The County Executive is hereby authorized on behalf of the County to execute a loan agreement between the County and ECMCC and a consent to the execution, delivery and performance by ECMCC of the Third Supplemental Indenture and the 2017 ECMCC Bonds in order to secure repayment by ECMCC to the County of such loan. The County Executive and County Comptroller are hereby authorized to execute a loan agreement between the County and ECFSA related to the financing assistance by ECFSA to the County as described in the recitals hereto, and to execute any agreements, certificates, instruments and other documents on behalf of the County that are necessary or desirable for carrying out the transactions contemplated by such loan agreements, this Resolution and the Third Supplemental Indenture, as may be deemed necessary upon advice of counsel and other retained professionals.

Section 2. The Erie County Legislature hereby approves the following form of Declaration of Need for ECFSA financing assistance to the County to finance the County loan to ECMCC as set forth in the recitals hereof:

**FORM OF COUNTY OF ERIE
DECLARATION OF NEED**

I, Mark Poloncarz, County Executive of the County of Erie (the "County"), a municipal corporation of the State of New York, acting pursuant to Title 3 of Article 10-D of the New York Public Authorities Law (the "Act"), and further pursuant to the Financing Agreement dated as of May 1, 2009, as amended, between the Erie County Fiscal Stability Authority, a public benefit corporation of the State of New York (the "Authority") and the County (the "Agreement") HEREBY DETERMINE AND CERTIFY as follows:

1. A need for financing assistance, as described in Section 3961(1) of the Act, is hereby determined and declared to exist. The amounts of the Financeable Costs hereby requested to be undertaken are set forth on **Appendix I** hereto, which **Appendix I** is incorporated herein as an integral part of this Declaration of Need.

2. The County represents and affirms that the foregoing financing of Financeable Costs by the Authority is authorized by the Act and is consistent with the current adopted County budget and that such Financeable Costs could be financed by the County by the issuance of its bonds or notes as of the date of this Declaration of Need, there being in effect with respect to each ECMCC capital project constituting such a Financeable Cost (i) findings or other proceedings meeting the requirements of the State Environmental Quality Review Act and (ii) all proceedings necessary under the County Charter and all other applicable State law necessary to authorize the appropriation and expenditure of County funds for such purposes.

3. The County reaffirms the provisions of the Agreement, including but not limited to each of the covenants, agreements and indemnities therein and agrees herein to provide prompt notice of any fact or circumstances which would with the passage of time or otherwise give rise to any violation or contravention of the terms of this Declaration of Need, the Agreement or any financial plan submitted to or approved by the Authority.

4. Pursuant to the Act, the financing plan reflected in this Declaration of Need and the Agreement, the Authority is hereby requested to finance, in whole or in part, the Financeable Costs set forth in **Appendix I** hereto, including the ECMCC capital projects identified therein or as may be designated in the County's capital budget, if any, as in effect from time to time. In no event shall the amount of such financing in any fiscal year exceed the amount of the Declaration of Need for such year, as it may be amended from time to time by an amended Declaration of Need.

5. The County understands and agrees to provide the Authority with any supporting data, descriptions or materials which the Authority requests in connection with any Financeable Costs referred to in this Declaration of Need.

All terms in this Declaration of Need not otherwise defined herein shall have the meanings set forth in the Agreement.

IN WITNESS WHEREOF, I have set my hand this _____ day of March, 2017.

County Executive
County of Erie

I hereby certify that the form and substance of this Declaration of Need have been duly approved by the Erie County Legislature

Clerk of the Erie County Legislature

**Appendix I to County of Erie Declaration
of Need Submitted to the Erie County Fiscal
Stability Authority on March __, 2017**

**Summary of Uses of 2017 ECFSA Bond Proceeds to be loaned by Erie County to Erie County
Medical Center Corporation**

Trauma Center

ECMCC is home to Western New York's Adult Trauma and Burn Center and is proud to have recently earned accreditation from the American College of Surgeons (ACS) as the Level I Adult Trauma Center for our region without any cited deficiencies. ECMCC is also the region's only Comprehensive Psychiatric Emergency Department for the eight counties that make up Western New York. While these services have received many accreditation and third party measures that affirm the quality of care being delivered, the main Emergency Department needs to be reconfigured to meet current volume demands and improve technology to keep up with current trends that keep it state-of -the-art. The ECMCC favorable survey results were based on the quality of the physicians and nurses providing care that have developed life saving care coordination so that patient care is never compromised; however, the work processes are not as cost efficient as what a new physical plant could accomplish. The ACS surveyors strongly encouraged ECMCC to have a new physical plant in operation at the time of its next survey. ECMCC has worked with an accomplished architectural firm to evaluate various alternatives and has concluded that a new structure on the ground floor should be constructed in front of the current emergency department space for easier access for over 65,000 patient visits per year. Another factor in the decision to build a new emergency department, rather than renovate, was to be the least disruptive to current operations. The costs of the project include the cost to construct the new building as well as purchase and install the equipment required to support the service, including state-of-the-art imaging, patient monitors and others.

Land Acquisition and Parking

The new Emergency Department and Trauma Center structure will displace parking spaces for patients and employees and put pressure on an already crowded system of parking. The current crowded parking is the result of the investments that ECMCC has made in its clinical programs and the growth we have enjoyed in terms of patients seeking ECMCC as their choice for health care

services as well as the employees that support the provision of that health care. The costs for this project include the acquisition of land immediately adjacent to the ECMCC campus and the transformation of that land into necessary and suitable parking.

Energy Projects

There are several components of the ECMCC tower that are the original equipment installed at the time of its construction. They include emergency back-up generators for electricity as well as boilers and chillers. In addition, while some limited modifications have been made over time, there are many energy controls and management systems that require upgrade that will provide energy savings over time. The projects funded by the bond proceeds include the replacement equipment and its installation in the ECMCC tower.

Building Envelope

Similar to the energy projects noted above, the windows and other building exterior components are the originals installed at the time of construction of the tower. The costs of the project include the evaluation of the entire building envelope including windows and roofs and the replacement of the necessary components.

Elevators

Continuing on the theme noted above related to original equipment, there are several elevators that are originals and in need of replacement. The replacement elevators funded by the project will not only save energy costs, but will also save on the significant repair and maintenance costs being incurred.

Clinics

The outpatient Orthopedic clinic (The Center for Orthopedic Care) has recently been renovated to accommodate the significant growth of patients seeking their care at ECMCC. The hospital's remaining clinics are in need of similar renovations to reflect the state-of-the-art practice of medicine and to accommodate the continuing growth in health care service lines throughout ECMCC. In addition, with the reconfiguration of the health care system shifting patients from inpatient services to outpatient services, including the mandated DSRIP initiative, the volume of patients requiring care at the ECMCC clinics is expected to continue to grow well into the future.

Education Center

As a major teaching hospital affiliate of the University at Buffalo School of Medicine and Dentistry, as well as other affiliated teaching programs in other medical professions, ECMCC requires dedicated space with which to meet its mission as an educational institution. The education center funded by the proceeds will not only provide this much needed space, but will also provide space for staff education and training to maintain their professional skills and continue to learn best practices in the provision of health care as the science evolves.

Nursing Unit Renovations

With the reconfiguration of the health care system and the shift from inpatient services to outpatient and other services, ECMCC must reposition itself for the most cost-effective and productive use of its physical plant in generating sufficient revenues to support the operations of ECMCC. The renovations funded by the proceeds will position ECMCC to use its space in the most cost effective fashion as patient care units are transformed to meet the needs of the community.

Bond Proceeds Capital Expenditure

	<u>Total</u>	<u>2017</u>	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>Useful Life</u>
Trauma Center / ED Project	45	3	20	22		30
Land Acquisition and Parking	3	1	2			30
Energy Projects						
Energy Controls / Management	13		13			25
Boilers and Chillers	15			15		40
Generators	<u>10</u>		10			40
Total Energy Projects	38					
Building Envelope	15		2	5	8	30
Elevators	3		1	1	1	25
Clinics	5		1	2	2	25
Education Center	1			1		25
Nursing Unit Renovations	<u>10</u>	<u>-</u>	<u>2</u>	<u>4</u>	<u>4</u>	<u>25</u>
Total Capital Requirements	120	4	51	50	15	20
Capital Campaign Funding	<u>(20)</u>	<u>-</u>	<u>-</u>	<u>(10)</u>	<u>(10)</u>	
Net Capital Requirements	<u>100</u>	<u>4</u>	<u>51</u>	<u>40</u>	<u>5</u>	

Section 3. Certified copies of this resolution be forwarded to the County Executive's Office, the County Attorney's Office, the Division of Budget and Management, the Comptroller's Office, and Todd Miles, Esq. Harris Beach PLLC; Milan Tyler, Esq. Phillips Lytle LLP and Anthony Colucci, Esq., ECMCC General Counsel.

Section 4. This Resolution shall take effect immediately upon approval by the County Executive.

MR. LORIGO moved to amend the item. MR. RATH seconded.

CHAIR MILLS directed that the legislature enter recess at 2:55 p.m.

CHAIR MILLS reconvened the legislature at 3:00 p.m.

All members present.

CHAIR MILLS directed that the legislature enter recess at 3:05 p.m.

CHAIR MILLS reconvened the legislature at 3:10 p.m.

All members present.

MR. LORIGO withdrew the motion.

MR. LOUGHRAN moved to amend the item. MR. SAVAGE seconded.

MR. LORIGO moved to amend the amendment. MR. RATH seconded.

MR. LORIGO withdrew the previous motion.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE, MS. DIXON, MR. HARDWICK, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: None. (AYES: 11; NOES: 0)

CARRIED UNANIMOUSLY.

Delete the Sixth WHEREAS Clause in its Entirety.

MR. LORIGO moved to further amend the item. MR. RATH seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MS. DIXON, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH. NOES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR. SAVAGE and MR. HARDWICK. (AYES: 5; NOES: 6)

FAILED.

MR. LORIGO moved to further amend the item.

CHAIR MILLS directed that the legislature enter recess at 3:38 p.m.

CHAIR MILLS reconvened the legislature at 3:47 p.m.

All members present.

MR. LORIGO moved to further amend the item. MR. MORTON seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MS. DIXON, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH.
NOES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR.
SAVAGE and MR. HARDWICK. (AYES: 5; NOES: 6)

FAILED.

MR. LOUGHRAN moved to approve the item as amended. MS. GRANT seconded.

MR. LORIGO moved to further amend the item. MR. RATH seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MS. DIXON, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH.
NOES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR.
SAVAGE and MR. HARDWICK. (AYES: 5; NOES: 6)

FAILED.

MR. LOUGHRAN moved to approve the item as amended. MR. SAVAGE seconded.

MR. LORIGO moved to further amend the item. MR. MORTON seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MS. DIXON, MR. LORIGO, CHAIR MILLS, MR. MORTON and MR. RATH.
NOES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR.
SAVAGE and MR. HARDWICK. (AYES: 5; NOES: 6)

FAILED.

MR. LOUGHRAN moved to approve the item as amended. MR. SAVAGE seconded.

CHAIR MILLS directed that a roll call vote be taken.

AYES: MR. BURKE, MS. GRANT, MR. LOUGHRAN, MS. MILLER-WILLIAMS, MR.
SAVAGE and MR. HARDWICK. NOES: MS. DIXON, MR. LORIGO, CHAIR MILLS, MR.
MORTON and MR. RATH. (AYES: 6; NOES: 5)

CARRIED.

COMMUNICATIONS FROM ELECTED OFFICIALS

FROM THE COUNTY EXECUTIVE

Item 53 – MR. LORIGO presented the following resolution and moved for immediate consideration and approval. MR. RATH seconded.

CARRIED UNANIMOUSLY.

RESOLUTION NO. 64

RE: Department of Senior Services - Amend
2017-2018 Appropriations for Case
Management Contract Agencies
(COMM. 6E-1)

WHEREAS, the Department of Senior Services has been annually contracting with seven not for profit agencies to provide case management services for seniors within different areas of the County; and

WHEREAS, the case management contracts, which follow an April 1st through March 31st fiscal year, are funded through both the Department's CSE and EISEP grants; and

WHEREAS, one of the agencies, Concerned Ecumenical Ministries Inc. (CEM) has elected not to continue providing case management services for the Department of Senior Services after its existing contract expires March 31, 2017; and

WHEREAS, to ensure continuity of service for the existing CEM caseload after March 31, 2017, the Department of Senior Services has chosen one of the remaining case management contract agencies, People Inc. to take over the work beginning April 1, 2017; and

WHEREAS, the change in agencies results in a \$67,688 cash savings, but a loss of \$37,465 of contract match that CEM had been providing out of its own funds, which will be made up by recognizing a like amount of overmatch that, another case management agency, the Town of Amherst, has been providing; and

WHEREAS, in an effort to operate more efficiently, the Department of Senior Services has also reviewed and restructured caseloads which will allow for a shift of contract agency appropriations from the 163CSE1718 grant to the 163EISEP1718 grant, thereby helping to ensure that the use of EISEP grant dollars is maximized and that the dollar savings are now in the CSE grant, where they can be used to offset potential State and Federal funding reductions; and

WHEREAS, the 163CSE1718 and 163EISEP1718 grant budgets need to be amended to reflect the above changes to the grants.

NOW, THEREFORE, BE IT

RESOLVED, the County Executive be and is hereby authorized to contract with People Inc. to take over cases formerly covered by CEM for the period April 1, 2017 through March 31, 2018; and be it further

RESOLVED, that the 163CSE1718 grant budget be amended as follows

	INITIAL BUDGET	CHANGE	AMENDED BUDGET
APPROPRIATIONS			
516020 Professional Svcs Contracts & Fees	155,415	177,688	333,103
517573 Concerned Ecumenical Ministry	55,580	-55,580	0
517693 Lt. Col. Matt Urban Center	238,040	-39,706	198,334
517755 People, Inc.	120,448	672	121,120
517785 Schiller Park Community Services	175,425	-56,980	118,445
517797 South Bflo Comm Development Assoc	97,024	-26,164	70,860
517829 Town of Amherst Senior Center	97,500	70	97,570
	TOTAL CHANGE	-0-	

and be it further

RESOLVED, that the 163EISEP1718 grant budget be amended as follows

	INITIAL BUDGET	CHANGE	AMENDED BUDGET
APPROPRIATIONS			
516010 Contract Pymts NonProfit Purch Svcs	160,000	-110,000	50,000
517573 Concerned Ecumenical Ministry	197,365	-197,365	0
517693 Lt. Col. Matt Urban Center	180,800	39,706	220,506
517755 People, Inc.	85,220	147,120	232,340
517785 Schiller Park Community Services	229,792	56,980	286,772
517797 South Bflo Comm Development Assoc	122,949	26,164	149,113
517829 Town of Amherst Senior Center	104,580	37,395	141,975
	TOTAL CHANGE	-0-	

and be it further

RESOLVED, that the Director of Budget and Management is hereby authorized to adjust items of appropriations and revenues which may be impacted by changes to grantor awards; and be it further

RESOLVED that if necessary, the County Executive is hereby authorized to execute amendments to these Department of Senior Services agencies contracts to effectuate adjusted funding levels; and be it further

RESOLVED, that certified copies of this resolution be forwarded to the County Executive's Office, the Division of Budget and Management, the Comptroller's Office, and the Department of Senior Services.

FROM CHAIR MILLS

Item 54 – (COMM. 6E-2) Letter to Clerk of the Legislature Calling a Special Meeting Regarding Declaration of Need for ECFSA/ECMCC Borrowing

Received, filed and printed.

March 16, 2017
Karen M. McCarthy
Clerk of the Legislature
92 Franklin Street
Buffalo, New York 14202

Dear Ms. McCarthy,

I am hereby directing you to call a SPECIAL INFORMATIONAL MEETING of the Erie County Legislature to be held on TUESDAY, MARCH 21, 2017 at 11:00 a.m. in the Chambers of the Legislature, 4th Floor of Old County Hall, 92 Franklin St., Buffalo, N.Y.

The purpose of the meeting will be, but not limited to, conduct a discussion of Comm. 5E-18 Declaration of Need led by Legislator Joseph Lorigo, Chair of the Finance & Management Committee, with members of the Erie County Fiscal Stability Authority.

Thank you for your attention to this matter.

Sincerely,
JOHN J. MILLS
John J. Mills
Chair of the Erie County Legislature

Item 55 – (COMM. 6E-3) Letter to Clerk of the Legislature Regarding Public Notice Regarding Appointment of Commissioner of the EC Water Authority

Received, filed and printed.

March 13, 2017
Karen M. McCarthy
Clerk of the Erie County Legislature
92 Franklin Street
Buffalo, New York 14202

RE: Public Notice Concerning Position of Commissioner of the Erie County Water Authority

Dear Clerk McCarthy,

Pursuant to the Erie County Legislature's 2017 Rules of Order §5.01 Appointments and Confirmation, "Candidates, including incumbents seeking reappointment, for the position of Commissioner of the Erie County Water Authority, shall formally submit, in writing, to the Chair of the Legislature, notice of their candidacy for that position."

Please take the necessary action to provide proper public notice to interested parties who wish to apply for this position. This requires that notice be given to members of the Legislature, the news media and the information be posted on the Erie County Legislature's website informing all

interested parties to submit letters of interest including a resume not later than 5:00 p.m. on Monday, March 27, 2017.

Thank you,
JOHN J. MILLS
John J. Mills, Chair
Erie County Legislature

Item 56 – (COMM. 6E-4) Letter to Clerk of the Legislature Regarding Letters of Interest for Commissioner of the EC Water Authority

Received, filed and printed.

March 13, 2017
Karen M. McCarthy
Clerk of the Erie County Legislature
Old County Hall – 4th Floor
92 Franklin Street
Buffalo, New York 14202

Dear Clerk McCarthy,

Please forward all letters of interest and resumes received requesting consideration for the appointment of Commissioner of the Erie County Water Authority to the Energy and Environment Committee for their approval and inclusion in the interview process.

I have sent a request to the Honorable Ted B. Morton, Chair of the Energy and Environment Committee to conduct interviews for the position on Thursday, March 30, 2017 and stated we will accept the required documents from interested parties until 5:00 p.m. on Monday, March 27, 2017.

Thank you,
JOHN J. MILLS
John J. Mills
Chairman of the Erie County Legislature

Item 57 – (COMM. 6E-5) Letter to Republican Party Caucus Regarding Potential Candidates for Commissioner of the EC Water Authority

Received, filed and printed.

March 13, 2017
Hon. Joseph C. Lorigo
Majority Leader
Erie County Legislature
Old County Hall – 4th Floor
92 Franklin Street
Buffalo, New York 14202

Dear Legislator Lorigo,

I am writing you to inform your caucus of their opportunity to submit a petition and potential candidates to be considered for Commissioner of the Erie County Water Authority pursuant to §1053 of the Public Authorities Law and §5.01 of the Erie County Legislature's 2017 Rules of Order.

I have directed the Chairman of the Energy and Environment Committee to schedule interviews on Thursday, March 30, 2017.

Please turn in your submissions for the position to Karen McCarthy, Clerk of the Legislature by 5:00 p.m. on Monday, March 27, 2017.

Thank you,
JOHN J. MILLS
John J. Mills
Chairman of the Erie County Legislature

cc: Legislator Lynne M. Dixon
Legislator Kevin R. Hardwick
Legislator Ted B. Morton
Legislator Edward A. Rath III

Item 58 – (COMM. 6E-6) Letter to Democratic Party Caucus Regarding Potential Candidates for Commissioner of the EC Water Authority

Received, filed and printed.

March 13, 2017

Hon. Thomas A. Loughran
Minority Leader
Erie County Legislature
Old County Hall – 4th Floor
92 Franklin Street
Buffalo, New York 14202

Dear Legislator Loughran,

I am writing you to inform your caucus of their opportunity to submit a petition and potential candidates to be considered for Commissioner of the Erie County Water Authority pursuant to §1053 of the Public Authorities Law and §5.01 of the Erie County Legislature's 2017 Rules of Order.

I have directed the Chairman of the Energy and Environment Committee to schedule interviews on Thursday, March 30, 2017.

Please turn in your submissions for the position to Karen McCarthy, Clerk of the Legislature by 5:00 p.m. on Monday, March 27, 2017.

Thank you,
JOHN J. MILLS
John J. Mills
Chairman of the Erie County Legislature

cc: Legislator Patrick B. Burke
Legislator Betty Jean Grant
Legislator Barbara Miller-Williams
Legislator Peter J. Savage III

Item 59 – (COMM. 6E-7) Letter to Conservative Party Member Regarding Potential Candidates for Commissioner of the EC Water Authority

Received, filed and printed.

March 13, 2017

Hon. Joseph C. Lorigo
Erie County Legislature – Conservative Party
Old County Hall – 4th Floor
92 Franklin Street
Buffalo, New York 14202

Dear Legislator Lorigo,

I am writing you to inform your caucus of the opportunity to submit a petition and potential candidates to be considered for Commissioner of the Erie County Water Authority pursuant to §1053 of the Public Authorities Law and §5.01 of the Erie County Legislature's 2017 Rules of Order.

I have directed the Chairman of the Energy and Environment Committee to schedule interviews on Thursday, March 30, 2017.

Please turn in your submissions for the position to Karen McCarthy, Clerk of the Legislature by 5:00 p.m. on Monday, March 27, 2017.

Thank you,
JOHN J. MILLS
John J. Mills
Chairman of the Erie County Legislature

Item 60 – (COMM. 6E-8) Letter to Independence Party Member Regarding Potential Candidates for Commissioner of the EC Water Authority

Received, filed and printed.

March 13, 2017

Hon. Lynne M. Dixon
Erie County Legislature – Independence Party
Old County Hall – 4th Floor
92 Franklin Street
Buffalo, New York 14202

Dear Legislator Dixon,

I am writing you to inform your caucus of the opportunity to submit a petition and potential candidates to be considered for Commissioner of the Erie County Water Authority pursuant to §1053 of the Public Authorities Law and §5.01 of the Erie County Legislature's 2017 Rules of Order.

I have directed the Chairman of the Energy and Environment Committee to schedule interviews on Thursday, March 30, 2017.

Please turn in your submissions for the position to the Karen McCarthy, Clerk of the Legislature by 5:00 p.m. on Monday, March 27, 2017.

Thank you,
JOHN J. MILLS
John J. Mills
Chairman of the Erie County Legislature

FROM THE COUNTY EXECUTIVE

Item 61 – (COMM. 6E-9) Various Highway Maintenance Facilities - 2015 New Salt Storage Buildings - Construction Contingency Fund Increase

Received and referred to the ECONOMIC DEVELOPMENT COMMITTEE.

Item 62 – (COMM. 6E-10) EC Sewer District No. 3 - Contact No. 54 STP-A General - Contract Close Out

Item 63 – (COMM. 6E-11) Black Rock Canal Park Improvement, City of Buffalo - Phase III - Award of Construction Contract

The above two items were received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM CHAIR MILLS

Item 64 – (COMM. 6E-12) Letter to Chair of Energy & Environment Committee Regarding Interviews for Commissioner of the EC Water Authority

Received and referred to the ENERGY & ENVIRONMENT COMMITTEE.

FROM THE COMPTROLLER

Item 65 – (COMM. 6E-13) Audit Regarding Sheriff's Office Bail Bond Payment and Collection Procedures for Period Jan. 1 - Nov. 30, 2016

Received and referred to the FINANCE & MANAGEMENT COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 66 – (COMM. 6E-14) Department of Health - Authorization to Apply for Licensed Home Care Service Agency Status

Item 67 – (COMM. 6E-15) Department of Health - Acceptance of Grant Award - "Opioid Overdose Prevention Contract - Building Local Health Department Capacity"

The above two items were received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM LEGISLATOR DIXON

Item 68 – (COMM. 6E-16) Letter to Department of Health Commissioner Regarding Committee Discussion Concerning Sudden Infant Death Syndrome

Received and referred to the HEALTH & HUMAN SERVICES COMMITTEE.

FROM THE COUNTY EXECUTIVE

Item 69 – (COMM. 6E-17) Department of Homeland Security & Emergency Services - Acceptance of FY2016 Critical Infrastructure Grant

Item 70 – (COMM. 6E-18) Department of Homeland Security & Emergency Services - Acceptance of FY2016 Technical Rescue Grant

Item 71 – (COMM. 6E-19) Department of Homeland Security & Emergency Services - Software Consulting Services - Globalquest Staffing Solutions Inc Amendment

The above three items were received and referred to the PUBLIC SAFETY COMMITTEE.

COMMUNICATIONS FROM THE DEPARTMENTS

FROM THE CLERK OF THE LEGISLATURE

Item 72 – (COMM. 6D-1) Notice of Special Meeting Regarding Declaration of Need for ECFSA/ECMCC Borrowing

Received, filed and printed.

NOTICE OF SPECIAL INFORMATIONAL MEETING

PLEASE TAKE NOTICE that a Special Informational Meeting of the County Legislature of the County of Erie, New York, shall be held in the Chambers of the Legislature, located at Old County Hall, 92 Franklin Street, 4th Floor, Buffalo, New York, in said County, on the 21st day of March at 11:00 a.m., prevailing time.

The purpose of the Special Informational Meeting will be, but not limited to, a discussion of Comm. 5E-18 Declaration of Need led by Legislator Joseph Lorigo, Chair of the Finance & Management Committee with members of the Erie County Fiscal Stability Authority.

Dated: Buffalo, New York
March 16, 2017

By: Karen M. McCarthy
Clerk, County Legislature

Item 73 – (COMM. 6D-2) Notice of Public Hearing Regarding Agricultural District Eight-Year Review & Consolidation: Sardinia - District No. 6, Holland - District No. 11, and Concord - District No. 15

Received, filed and printed.

NOTICE OF PUBLIC HEARING

NOTICE OF A PUBLIC HEARING FOR THE SARDINIA AGRICULTURAL DISTRICT NO. 6, THE HOLLAND AGRICULTURAL DISTRICT NO. 11, AND THE CONCORD AGRICULTURAL DISTRICT NO. 15 WEST PURSUANT TO EIGHT-YEAR REVIEW AND CONSOLIDATION

PLEASE TAKE NOTICE, that Agricultural District No. 6, which encompasses approximately 22,981 acres within the County of Erie in the Towns of Sardinia and Holland was originally established on December 19, 1974, pursuant to Article 25-AA of the Agriculture and Markets Law.

PLEASE TAKE FURTHER NOTICE, that Agricultural District No. 11, which encompasses approximately 17,594 acres within the County of Erie in the Town of Holland was originally established on August 9, 1977, pursuant to Article 25-AA of the Agriculture and Markets Law.

PLEASE TAKE FURTHER NOTICE, that Agricultural District No. 15, which encompasses approximately 45,378 within the County of Erie in the Towns of Concord, Boston, Colden, and North Collins was originally established on December 21, 1981, pursuant to Article 25-AA of the Agriculture and Markets Law.

PLEASE TAKE FURTHER NOTICE, that under Section 303-a (1) of the Agriculture and Markets Law, the County Legislature is required to review a district eight years after its creation and every eight years thereafter.

PLEASE TAKE FURTHER NOTICE, that a comment period was held from December 21, 2016 through January 20, 2017, during which any municipality whose territory encompasses the above Agricultural District, any State Agency, or any landowner within or adjacent to the District, may propose a modification to the District.

PLEASE TAKE FURTHER NOTICE, that the following application was received for addition to District 6: 13350 Allen Rd., SBL # 295.00-3-14.1, Town of Sardinia.

PLEASE TAKE FURTHER NOTICE, that the following application was received for exclusion from District 11: 8122 Olean Rd., SBL# 231.00-1-15.1, Town of Holland.

PLEASE TAKE FURTHER NOTICE, that no modifications were proposed for District 15.

PLEASE TAKE FURTHER NOTICE, that on March 23, 2017 at 6:00 p.m., a Public Hearing will be held at the Hulbert Library, 18 Chapel St., Springville, NY 14141 on the above modification requests, as well as recommendations of the Erie County Agricultural and Farmland Protection Board (AFPB). A copy of the AFPB's recommendations can be obtained starting March 10, 2017 by contacting Elias Reden: Elias Reden, Planner, Erie County Department of Environment & Planning, 95 Franklin Street, 10th Floor, Buffalo, NY 14202, (716) 858-1911 or agriculture@erie.gov.

Dated: Buffalo, New York
March 9, 2017

By: Karen M. McCarthy
Clerk, County Legislature

Item 74 – (COMM. 6D-3) Public Notice Regarding Appointment/Reappointment of Commissioner of the EC Water Authority

Received, filed and printed.

Public Notice/Media Advisory

From: Karen M. McCarthy, Clerk of the Erie County Legislature

Subject: Public Notice
Letters of Interest/Resumes Being Accepted for
Commissioner of the Erie County Water Authority

Date: March 13, 2017

PLEASE TAKE NOTICE that letters of interest from candidates interested in appointment/reappointment to the position of Commissioner of the Erie County Water Authority are being accepted by the Erie County Legislature.

The Erie County Legislature's 2017 Rules of Order §5.01 Appointments and Confirmations state that "Candidates, including incumbents seeking reappointment, for the position of Commissioner of

the Erie County Water Authority, shall formally submit, in writing, to the Chair of the Legislature, notice of their candidacy for that position.”

Candidates interested in being considered for this position should submit a letter of interest and a resume to John J. Mills, Chair, Erie County Legislature, c/o Karen M. McCarthy, Clerk of the Legislature, Old County Hall, 4th Floor, 92 Franklin Street, Buffalo, New York 14202 or karen.mccarthy@erie.gov. All documents must be received no later than 5:00 p.m. on March 27, 2017.

Item 75 – (COMM. 6D-4) NYS DEC Documents Received

Received and filed.

FROM THE COMPTROLLER’S OFFICE

Item 76 – (COMM. 6D-5) Notice of Audit of Cash Collections and Handling Procedures at Point of Service Areas Within the Department of Parks Golf Courses

Item 77 – (COMM. 6D-6) Notice of Audit of Petty Cash, Change-Making and Imprest Funds for Period Jan. 1-Dec. 31, 2016

The above two items were received and filed.

FROM THE DEPARTMENT OF PUBLIC WORKS

Item 78 – (COMM. 6D-7) ECC STEM Building Status Report - Feb. 2017

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE DEPARTMENT OF LAW

Item 79 – (COMM. 6D-8) Letter to Regarding Legalities of LL Intro. 3-1

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES

FROM THE NYS DEPARTMENT OF STATE

Item 80 – (COMM. 6M-1) Notice of Local Law Filing for Local Law 1 (2017)

Received and filed.

FROM THE BUFFALO & EC PUBLIC LIBRARY

Item 81 – (COMM. 6M-2) Mar. 16, 2017 Board of Trustees Agenda

Received and filed.

FROM THE BUFFALO & EC NAVAL & MILITARY PARK

Item 82 – (COMM. 6M-3) Mar. 23, 2017 Board of Directors Agenda

Received and filed.

FROM THE TRUSTEES, BUFFALO & EC PUBLIC LIBRARY

Item 83 – (COMM. 6M-4) Follow-Up Information to Committee Discussion

Received and referred to the COMMUNITY ENRICHMENT COMMITTEE.

FROM THE NEW YORK STATE SOCIETY OF PROFESSIONAL ENGINEERS INC

Item 84 – (COMM. 6M-5) Letter to Legislators Regarding LL Intro. 3-1 (2017)

Received and referred to the GOVERNMENT AFFAIRS COMMITTEE.

ANNOUNCEMENTS

Item 85 – CHAIR MILLS announced the committee schedule for March 30, 2017 will be distributed.

Item 86 – CHAIR MILLS announced a public hearing regarding Agricultural Districts No. 6, 11 and 15 modification requests is scheduled for March 23, 2017 at 6:00 p.m. at the Town of Concord Hulbert Library, 18 Chapel St, Springville, NY 14141.

Item 87 – CHAIR MILLS announced a public hearing regarding the Fact Finding Report regarding AFSCME proposed contract is scheduled for March 30, 2017 at 6:00 p.m. in the Legislature Chambers.

Item 88 – CHAIR MILLS announced the next regularly scheduled legislative session is April 6, 2017.

MEMORIAL RESOLUTIONS

Item 89 – Legislator Burke requested that when the Legislature adjourns, it do so in memory of Kelly N. Benczkowski and John Janiszewski.

Item 90 – Legislator Dixon requested that when the Legislature adjourns, it do so in memory of Guy Joseph Kreiger and W. Jay Milligan Sr.

Item 91 – Legislator Grant requested that when the Legislature adjourns, it do so in memory of Lonnie B. Harrell.

Item 92 – Legislator Hardwick requested that when the Legislature adjourns, it do so in memory of Elizabeth E. Baker, Francis R. “Bob” Juliano and Mary J. North.

Item 93 – Legislator Morton requested that when the Legislature adjourns, it do so in memory of Kelly N. Benczkowski and Lynn A. Smith.

ADJOURNMENT

Item 94 - At this time, there being no further business to transact, CHAIR MILLS announced that the Chair would entertain a Motion to Adjourn.

MR. BURKE moved that the Legislature adjourn until Thursday, April 6, 2017 at 2:00 p.m. Eastern Standard Time. MS. GRANT seconded.

CARRIED UNANIMOUSLY.

CHAIR MILLS declared the Legislature adjourned until Thursday, April 6, 2017 at 2:00 p.m. Eastern Standard Time.

KAREN M. McCARTHY
CLERK OF THE LEGISLATURE